



EXPRESS MAIL NO.: EV 475 140 841 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Lawrence L. Kunz Confirmation No.: 1075 JUL 26 2004
Application No.: 09/590,002 Art Unit: 1621 TECH CENTE
Filed: June 8, 2000 Examiner: Barts, Samuel A.
For: THERAPEUTIC INHIBITOR OF VASCULAR SMOOTH MUSCLE CELLS Attorney Docket No.: 10177-216-999
(cam no. 008563-999213)
(formerly 295.007US4)

TERMINAL DISCLAIMER FEE SHEET


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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

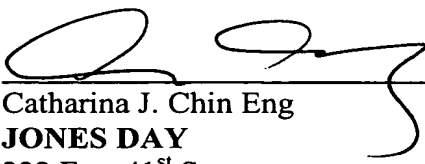
Sir:

The fee for processing the attached Terminal Disclaimer relating to U.S. Patent No. 5,811,447 is believed to be \$110.00. Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Date: July 20, 2004


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Enclosure



Express Mail No. EV 475 140 841 US..

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Sir:

The Petitioner, **Scott T. Bluni**, represents that he holds the position of **Assistant Secretary of Scimed Life Systems, Inc.**, the assignee of the entire right, title and interest in and to the above-identified application by virtue of an assignment which was recorded on **April 18, 2003** at reel **013974**, frame **0188**. The above-identified patent application is a continuation of U.S. Patent Application No. 08/389,712, filed February 15, 1995, now U.S. Patent No. 6,515,009, issued February 4, 2003, which is a continuation-in-part of U.S. Patent Application No. 08/011,669, filed January 28, 1993, now abandoned, which is a continuation-in-part of International Patent Application No. PCT/US92/08220, filed September 25, 1992, which is a continuation-in-part of U.S. Patent Application No. 07/767,254, filed September 27, 1991, now abandoned.

Petitioner submits that **Scimed Life Systems, Inc.** is also the assignee of the entire right, title and interest in and to U.S. Patent No. **5,811,447**, which issued on **September 22, 1998**, by virtue of an assignment which was recorded on **April 18, 2003** at reel **013974**, frame **0188**. Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. **5,811,447**, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be

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the same as the legal title to U.S. Patent No. **5,811,447**.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. **5,811,447** in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignments for the above-identified application and U.S. Patent No. **5,811,447** and, to the best of his knowledge and belief, both titles are in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Scimed Life Systems, Inc.**

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 20th day of July, 2004.

Scimed Life Systems, Inc.

By: _____

Name: **Scott T. Bluni**
Position: **Assistant Secretary**